

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACK
ON SEPTEMBER 11, 2001

Civil Action No. 03 MDL 1570 (RCC)
ECF Case

This document relates to:

Ashton v. Al Qaeda Islamic Army, Case No. 02-CV-6977
Burnett v. Al Baraka Inv. & Dev. Corp., 03-CV-9849
Continental Cas. Co. v. Al Qaeda, 04-CV-5970
EuroBrokers Inv. V. Al Baraka Inv. & Dev. Corp., 04-CV-7279
New York Marine & Gen. Ins. Co. v. Al Qaida, 04-CV-6105
World Trade Ctr. Props. LLC v. Al Baraka Inv. & Dev. Corp., (04-CV-7280)

**NOTICE OF MOTION TO DISMISS OF AFRICAN MUSLIM AGENCY, GROVE
CORPORATE, INC., HERITAGE EDUCATION TRUST, INTERNATIONAL
INSTITUTE OF ISLAMIC THOUGHT, MAR-JAC INVESTMENTS, INC., MENA
CORPORATION, RESTON INVESTMENTS, INC., SAFA TRUST, STERLING
CHARITABLE GIFT FUND, STERLING MANAGEMENT GROUP, INC., AND YORK
FOUNDATION PURSUANT TO RULE 12(B)(6) FOR FAILURE TO STATE A CLAIM**

PLEASE TAKE NOTICE that pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and upon the memorandum of law attached hereto, the Defendants African Muslim Agency, Grove Corporate, Inc., Heritage Education Trust, International Institute of Islamic Thought, Mar-Jac Investments, Inc., Mena Corporation, Reston Investments, Inc., Safa Trust, Sterling Charitable Gift Fund, Sterling Management Group, Inc. and York Foundation (the "Moving Defendants"), by and through undersigned counsel, will move the Court, before the Honorable Richard C. Casey, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, 10007, on at a date and time to be determined by the Court, for an order dismissing all of the claims asserted against them in

Ashton, Burnett, N.Y. Marine, Euro Brokers, Continental and World Trade Center pursuant to Rule 12(b)(6) for failure to state a claim upon which relief can be granted.

Respectfully submitted,

Dated: October 21, 2005

By: /s/ Nancy Luque
Nancy Luque (NL-1012)
Jay Hanson (admitted *pro hac vice*)
Steven K. Barentzen (SB-8777)
DLA PIPER RUDNICK GRAY CARY US LLP
1200 Nineteenth Street
Washington, DC 20036-2247
Tel: 202-861-3900
Fax: 202-223-2085

*Attorneys for African Muslim Agency, Grove
Corporate, Inc., Heritage Education Trust,
International Institute of Islamic Thought, Mar-
Jac Investments, Inc., Mena Corporation, Reston
Investments, Inc., Safa Trust, Sterling Charitable
Gift Fund, Sterling Management Group, Inc. and
York Foundation*

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of October, 2005, I caused an electronic copy of the foregoing Notice Of Motion To Dismiss Of African Muslim Agency, Grove Corporate, Inc., Heritage Education Trust, International Institute Of Islamic Thought, Mar-Jac Investments, Inc., Mena Corporation, Reston Investments, Inc., Safa Trust, Sterling Charitable Gift Fund, Sterling Management Group, Inc. and York Foundation Pursuant To Rule 12(B)(6) For Failure to State a Claim to be served by the Court's electronic filing system upon all parties scheduled for electronic notice.

/s/ Steven K. Barentzen
Steven K. Barentzen (SB-8777)